

Attorney Docket 056707-5001-US
Application No. 09/257,188
Page 4

Remarks

The Office Action dated February 24, 2003 has been carefully reviewed and the foregoing amendments are made in response thereto. Applicants respectfully submit that no new matter has been introduced by the amendments.

Support for new claim 96 is found, for example, in the following citations and elsewhere throughout the specification: in original claims 1 and 14; for "direct application to said skin" on page 31, lines 32-33; page 32, lines 10-11; Example 23; for "rubbing" on page 31, lines 32-33; for "swabbing" on page 14, lines 6-15, page 34, lines 22-33, Example 1 and original claim 5; for "shaving" in Example 7; for "tape stripping" on page 14, lines 12-15, Example 16; for application of a "depilatory agent" on page 14, line 15; original claim 11; for application of "keratinolytic agents" on page 14, lines 13-16, Example 4; and in original claim 14; for "detergent" (sodium dodecyl sulfate), on page 14, lines 13-16, Example 2; for "abrading," in Example 5 and Example 6; for "a combination thereof," Examples 3 and 4.

Support for new claim 97 is found, for example, in original claims 5 and 6; and, elsewhere throughout the specification.

Support for new claim 98 is found, for example, in original claims 7, 8 and 10; and, elsewhere throughout the specification.

Support for new claim 99 is found, for example, in original claim 9; elsewhere throughout the specification.

Support for new claim 100 is found, for example, in original claim 35; and, elsewhere throughout the specification.

Support for new claim 101 is found, for example, in Examples 18, 19 and 22; and, elsewhere

Attorney Docket 056707-5001-US

Application No. 09/257,188

Page 5

throughout the specification.

Support for new claim 102 is found, for example, in Example 18; and, elsewhere throughout the specification.

Support for new claim 103 is found, for example, on page 31, lines 32-33 to top of page 32, lines 1-3; original claim 3; and, elsewhere throughout the specification.

Support for new claim 104 is found, for example, on page 32, lines 1-11; in original claim 4; and, elsewhere throughout the specification.

Support for new claim 105 is found, for example, in Example 18; on page 31, lines 32-33 to page 32, lines 1-3; and, elsewhere throughout the specification.

Support for new claim 106 is found, for example, in Example 18; and, elsewhere throughout the specification.

Interview

Applicants appreciate the Examiner's efforts in furthering the prosecution of this Application by granting an interview on August 7, 2003. Applicants' representative and the Examiner discussed streamlining the pending applications to find allowable subject matter and suggested amendments to the claims to overcome outstanding rejections. In view of the discussion during the interview, the above amendments and the following remarks, Applicants respectfully request reconsideration and reexamination of this application and timely allowance of the pending claims.

Rejection of claims 1-25, 27-51 and 60-95 under 35 U.S.C. § 112, first paragraph

Attorney Docket 056707-5001-US
Application No. 09/257,188
Page 6

The Office rejected claims 1-25, 27-51 and 60-95 under 35 U.S.C. § 112, first paragraph, as the specification does not contain a written description of the claimed invention, in that the disclosure does not reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention at the time the application was filed. Applicants respectfully traverse the rejection.

Claims 1-25, 27-51 and 60-95 are newly canceled in this amendment. Applicants assert the outstanding rejection does not apply to new claims 96-106 since new claims 96-106 do not contain the same subject matter previously alleged to lack support. It is believed that new claims 96-106 reflect the Examiner's suggested amendments to the claims as discussed in the previous Office Action and as discussed at the personal interview held between the undersigned and the Examiner on August 7, 2003. Since the new claims are believed to render the rejection moot, the rejection may be withdrawn.

Rejection of claim 85 under 35 U.S.C. § 112, first paragraph

The Office rejected claim 85 under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for a method of inducing an antigen specific immune response does not reasonably provide enablement for a method for inducing an immune response. Applicants respectfully traverse the rejection.

In reply, Applicants have canceled claim 85. No new claim now contains the same subject matter. Thus, the rejection is believed to be moot. In view of the cancellation of claim 85, it is believed the rejection can be withdrawn.

Conclusion

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required

Attorney Docket 056707-5001-US

Application No. 09/257,188

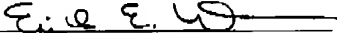
Page 7

extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. § 1.136(a)(3).

It is believed the application is in condition for examination on the merits and such is respectfully requested. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the telephone number provided below.

Date: August 25, 2003
Morgan, Lewis & Bockius LLP
Customer No. 009629
1111 Pennsylvania Ave., N.W.
Washington, D.C. 20004
202.739.3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP


Erich E. Veitenheimer, III, Ph.D.
Registration No. 40,420